



Docket No.: 1695.1002RE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jeff Hawkins et al.

Serial No. 10/816,597

Group Art Unit: 2121

Confirmation No. 9536

Filed: April 2, 2004

Examiner: Malzahn, David H.

For: COMBINATION LAPTOP AND PAD COMPUTER

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed May 5, 2006.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. But the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the Examiner states that "the prior art fails to teach or fairly suggest a method...." Applicants respectfully note that only independent claim 43 recites a method. Claims 1-42, and 44 recite a portable computer.



Serial No. 10/816,597

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 01 AUG 2006

By:

Michael A. Bush
Michael A. Bush
Registration No. 48,893

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501